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Note verbale dated 21 September 2009 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

The Permanent Mission of the Islamic Republic of Iran to the United Nations presents its compliments to the President of the Security Council for the month of September, and, with regard to the summit meeting to be convened in connection with nuclear non-proliferation and nuclear disarmament on Thursday, 24 September 2009, has the honour to request that the written statement submitted by the Islamic Republic of Iran regarding the summit meeting (see annex) be issued and circulated as a document of the Security Council.

New York, 21 September 2009

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Annex to the note verbale dated 21 September 2009 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

Written statement of the Islamic Republic of Iran on nuclear disarmament and non-proliferation

In view of the Security Council's summit meeting on nuclear disarmament and non-proliferation to be held on 24 September 2009, the Islamic Republic of Iran urges the Council members to seize this opportunity, after years of non-progress in nuclear disarmament, to constructively contribute to nuclear disarmament and non-proliferation by taking effective measures towards a nuclear-weapon-free world and the promotion of security for all. In this context, the Islamic Republic of Iran would like to state its positions on issues related to the theme of the Council's meeting, as follows:

Nuclear disarmament

1- The mere existence of nuclear weapons is a source of horror, distrust and threat. Nuclear disarmament is the highest priority on the disarmament agenda. It forms a fundamental part of the package agreed upon by the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1968. Despite the obligations under article VI of the Treaty and undertakings by the nuclear-weapon States in 1995 and 2000 NPT Review Conferences, the continued existence, development and deployment of thousands of nuclear warheads in their arsenals threaten international peace and security.

2- Lack of implementation of the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament under article VI of the Treaty is frustrating. This is a matter of deep concern. Despite the limited bilateral and unilateral arms reduction, such efforts are far below the international expectations for real and effective steps towards the total elimination of nuclear weapons and can never be a substitute for the obligation of nuclear-weapon States, namely the complete elimination of nuclear weapons. These reductions have not gone beyond the decommissioning of nuclear weapons. To be effective, reductions in nuclear weapons must be irreversible, internationally verifiable and transparent.

3- The nuclear-weapon States are obligated to comply with their legally binding commitments to the full implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. As a result of the blatant violations of these commitments by some nuclear-weapon States, the integrity of the NPT has been endangered, and the confidence of non-nuclear-weapon States in the credibility of the Treaty has been eroded.

4- The adoption of the 2002 Nuclear Posture Review by the United States, and the United Kingdom's Trident plan, which provide for the development of new types of nuclear weapons, the possible use or threat of use of nuclear weapons against non-nuclear-weapon States and

targeting nuclear weapons against non-nuclear-weapon States parties to the NPT, are in contravention of the assurances given by the nuclear-weapon States at the time of the conclusion of the NPT and its indefinite extension. More worrisome is the announcement by France regarding the addition of a nuclear-armed ballistic missile submarine to its nuclear arsenals. The president of that country was quoted as saying "French nuclear forces are a key element in Europe's security". To justify the continued retention of its nuclear arsenals, it appears that that country, in defiance of its international obligation, is seeking new roles for its nuclear forces. In so doing, French officials even resort to irresponsible methods such as manipulation of intelligence and frightening people to promote programmes that their people would otherwise not support.

5- Iran considers the total elimination of nuclear weapons as the only absolute guarantee against the use or threat of use of nuclear weapons. Pending the total elimination of these inhuman weapons, efforts for the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority by the international community.

6- We continue to believe in the need for negotiations on a phased programme for the complete elimination of nuclear weapons within a specified time limit, including a nuclear weapons convention, and in this regard reiterate our call for the establishment, as the highest priority and as soon as possible, of an ad hoc committee on nuclear disarmament in the Conference on Disarmament. Such negotiations must lead to legally prohibit, once and for all, the possession, development or stockpiling of nuclear weapons by any country and provide for the destruction of such inhuman weapons. Till the conclusion of a nuclear weapons convention similar to the Chemical Weapons Convention, the nuclear-weapon States must honour their obligations under the NPT and immediately stop:

- Any kind of development and research on nuclear weapons
- Any threat of use of nuclear weapons against non-nuclear-weapon States
- Any modernization of nuclear weapons and their facilities
- Deployment of nuclear weapons in the territories of other countries
- Maintaining their nuclear weapons in a trigger-alert situation

7- The international community expects nuclear-weapon States members of the Council to take concrete and effective measures towards nuclear disarmament, for example, by halting the development, production, design, modernization and acquisition of nuclear weapons and their delivery systems as well as by providing transparency regarding the size and status of their nuclear-weapon forces. Regrettably, the draft resolution to be adopted by the Security Council on 24 September 2009 demonstrates once again that there is no real intention among certain nuclear-weapon States to fulfil their obligations in order to create a world free from nuclear weapons.

Nuclear non-proliferation

8- The Islamic Republic of Iran strongly believes that the best way of ensuring the non-proliferation of nuclear weapons is the full and non-selective implementation of the NPT and ensuring its universality. In this context, failure in the implementation of effective measures of nuclear disarmament increases the danger of the proliferation of nuclear weapons.

9- It has been widely recognized that the non-proliferation obligations of the NPT non-nuclear-weapon States are being successfully implemented. Non-proliferation challenges have largely originated from the non-compliance of some nuclear-weapon States with their obligations under article I and paragraph 2 of article III of the NPT. Cases of transfer of nuclear-weapon technology by certain nuclear-weapons States to non-parties to the NPT, and nuclear-weapon-sharing under security arrangements with non-nuclear-weapon States are clear examples in this regard.

10- The 2000 agreement between the United States and the Zionist regime, which has enabled the Zionist regime to have access to most of United States nuclear data and technology, is an evident non-compliance by the United States with non-proliferation obligations under the NPT.

11- The proliferation of nuclear weapons by certain nuclear-weapon States is the most immediate danger threatening the non-proliferation regime while there are no provisions for verification of their obligations under article I. Thus, establishing a strong mechanism, similar to the one under article III of the NPT, to verify the implementation of article I by nuclear-weapon States is an essential component of any collective efforts to strengthen the Treaty. Furthermore, in order to take measures to strengthen non-proliferation, the nuclear-weapon States must refrain from cooperating with non-parties to the NPT and undertake not to transfer any nuclear material, equipment, information, knowledge and technology to them.

12- The durable solution to remove the proliferation and the use of nuclear weapons is the total rejection of nuclear deterrence through a universal nuclear disarmament treaty. Unfortunately, the draft resolution to be adopted by the Security Council on 24 September 2009 displays neither any real intention by the nuclear-weapon States to put aside their nuclear deterrence policy nor address the above-mentioned concerns of the international community regarding their role in nuclear proliferation.

Nuclear-weapon-free zone in the Middle East

13- The universality of the NPT, in particular in the regions of tension, should be vigorously promoted. In this context, the implementation of the 1995 resolution on the Middle East as a zone free from nuclear weapons is an essential measure which would greatly contribute to nuclear disarmament and non-proliferation.

14- The resolution on the Middle East, as reaffirmed in the Final Document of the 2000 NPT Review Conference, is an essential element of the package of agreements in the 1995 NPT Review and Extension Conference and of the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended without a vote in 1995.

15- Despite repeated calls by the international community demonstrated in the resolution on the Middle East adopted by the 1995 NPT Review and Extension Conference, related resolutions of the United Nations General Assembly as well as those of the International Atomic Energy Agency (IAEA) and the Organization of the Islamic Conference, the Zionist regime has neither acceded to the Treaty nor placed its nuclear facilities under full scope of IAEA safeguards. It has not even declared its intention to accede to the Treaty. This regime is the only non-party to the Treaty on the Non-Proliferation of Nuclear Weapons in the Middle East region. Its unlawful nuclear-weapons programme, which has been assisted by the United States and France, seriously threatens both regional and international peace and security, and has endangered the non-proliferation regime.

16- The Islamic Republic of Iran is of the opinion that pending the realization of the nuclear-weapon-free zone in the region, no country of the region must acquire nuclear weapons or permit the stationing of nuclear weapons or nuclear explosive devices on its territory or under its jurisdiction or control, and should refrain from actions that run counter to both the letter and the spirit of the NPT and the General Assembly resolutions and documents relating to the establishment of a nuclear-weapon-free zone in the Middle East.

17- Unfortunately, the inaction imposed upon the Security Council by the United States over the past several decades in addressing the well-documented nuclear-weapons programme of the Zionist regime has given the audacity to the said regime to explicitly acknowledge the unlawful possession of nuclear weapons. It is undisputable that nuclear weapons in the hands of the Zionist regime, with an unparalleled record of non-compliance with Security Council resolutions and a long and dark catalogue of crimes and atrocities such as occupation, aggression, militarism, State terrorism, crimes against humanity and apartheid, pose a uniquely grave threat to regional and international peace and security. The Security Council should fulfil its Charter-based responsibility to address such a clear and serious threat to international peace and security and take prompt and appropriate actions accordingly. The draft resolution to be adopted on 24 September 2009 shows that the Security Council's approach towards the nuclear threat posed by Zionist regime remains unchanged.

Peaceful research, production and use of nuclear energy

18- The inalienable right of all NPT States parties to nuclear technology for peaceful purposes without discrimination indeed constitutes one of the basic pillars of the Treaty. The balance between rights and obligations, which is the basis of any sound legal instrument, guarantees the longevity of the NPT by providing incentives for membership and compliance.

19- Non-proliferation measures or further progress in strengthening safeguards must not prejudice the national development of peaceful uses of nuclear energy or cooperation among NPT States parties for peaceful uses.

20- The inalienable rights of the States parties, as stipulated in the NPT, extends to all aspects of peaceful technologies and are not limited to specific areas. In this connection, the 2000 NPT Review Conference reiterated that "each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel-cycle policies".

21- The Islamic Republic of Iran is determined to pursue all legal aspects of nuclear technology, including fuel cycle and enrichment, exclusively for peaceful purposes. No one should cherish the illusion that any proposals or measures which amount to cessation or even suspension of a lawful activity under IAEA supervision will be accepted.

22- Instead of raising general and non-binding issues on nuclear disarmament, it was expected that the permanent members of the Security Council commit themselves to take serious and practical steps towards the lofty goal of achieving a world free from nuclear weapons. The permanent members, rather than adopting such a resolution, which will not remove the international community's concern over the existence of thousands of nuclear warheads, should courageously declare their readiness to destroy their nuclear arsenals.

23- In conclusion, it should be underlined that the Security Council resolutions on the peaceful nuclear activities of the Islamic Republic of Iran are unlawful and against the United Nations Charter. Such politically motivated resolutions exclusively aim to ignore the inalienable rights of the NPT States parties to use nuclear energy for peaceful purposes under article IV of the NPT. Referring to those resolutions in the outcome of the Council meeting on 24 September 2009 provide them no legal credibility or value. It only leads to more abating of the value of the draft resolution to be adopted on 24 September 2009.